

**From:** [Rodrigues, Paul A. \(EOIR\)](#)  
**To:** [Alder Reid, Lauren \(EOIR\)](#); [All of BIA \(EOIR\)](#); [All of Court Administrators \(EOIR\)](#); [All of Judges \(EOIR\)](#); [All of OCIJ HDO \(EOIR\)](#); [Anderson, Jill \(EOIR\)](#); [Apolito, Ingrid \(EOIR\)](#); [Barry, Robert \(EOIR\)](#); [Burgie, Brea \(EOIR\)](#); [Cicolini, Pietro \(EOIR\)](#); [Ciulla, Nancy \(EOIR\)](#); [Cunningham, Jennifer L. \(EOIR\)](#); [David Vignol, Dever, Jeanette; Don Lewis; List Admin, ProBono \(EOIR\)](#); [Ellen Garber; Fleener, Danny L. \(EOIR\)](#); [Gray, Gracie \(EOIR\)](#); [Harris, Alethea \(EOIR\)](#); [Jennifer McGraw; Jennifer Pateski; John Kelley; Kier, Diane \(EOIR\)](#); [Kuiken, Celia \(EOIR\)](#); [McDowell, Ben \(EOIR\)](#); [Michael Jordan; Michael Zachary; Mittelstadt, Matthew James. \(EOIR\)](#); [Moore-Estes, Summer \(EOIR\)](#); [Nieves, Manuel A. \(EOIR\)](#); [Noferi, Mark \(EOIR\)](#); [Noonen, John; O'Connell, Catherine; Park, Jeannie \(EOIR\)](#); [Peter Shaw; PIS Workflow \(EOIR\)](#); [Rachel Dinetz; Ramirez, Sergio \(EOIR\)](#); [Rich, John \(EOIR\)](#); [Rimmer, Phillip \(EOIR\)](#); [Rodrigues, Paul A. \(EOIR\)](#); [Ruffino, Lou \(EOIR\)](#); [Silber, Rachel; Vick, Lindsay \(EOIR\)](#); [Wade, Catherine; Williams, Tiffany \(EOIR\)](#)  
**Subject:** Recently Disciplined Practitioners, Reinstated Practitioners, and Updated List  
**Date:** Thursday, July 12, 2018 9:27:40 AM  
**Attachments:** [Atty Discipline Chart Primary.docx](#)

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Please see the attached document for a list of currently disciplined practitioners as of July 12, 2018. I would ask each Court Administrator to post this entire list in a conspicuous place in order to inform the public of the status of these practitioners. This list will be updated as orders are issued by the Board of Immigration Appeals or the Immigration Courts. Names of reinstated practitioners will be removed from the list after 6 months.

### **Recently Disciplined Practitioners:**

**Benjamin Ndi** – On July 9, 2018, the Board issued a issued final order, disbaring Attorney Ndi from practice before the Immigration Courts, the Board, and DHS based on his disbarment from the practice of law in Maryland.

**Nathaniel Bundy Burke** – On July 9, 2018, the Board issued an order, immediately suspending Attorney Burke from practice before the Immigration Courts, the Board, and DHS, based on his disbarment from the practice of law in Florida.

**William Burton** – On July 9, 2018, the Board issued an order, immediately suspending Attorney Burton from practice before the Immigration Courts, the Board, and DHS, based on his suspension from the practice of law in Virginia.

**Albert Snyder** – On July 10, 2018, the Board issued a issued final order, suspending Attorney Snyder from practice before the Immigration Courts, the Board, and DHS, effective immediately, based on his suspension from the practice of law in Colorado.

**Confidential Discipline** - Since the last update, the EOIR Disciplinary Counsel has issued confidential discipline to 5 practitioners for the following misconduct: failing to appear for multiple hearings without good cause (4) and filing incomplete or otherwise inadequate applications for relief (2); and failing to file applications for relief, which were deemed abandoned, then filing Notice of Appeal based on incorrect factual information.

EOIR's Attorney Discipline Program now has a dedicated e-mail address that EOIR employees may use to report misconduct by private immigration practitioners. The e-mail address is [EOIR.Attorney.Discipline@usdoj.gov](mailto:EOIR.Attorney.Discipline@usdoj.gov) and appears in the global address list as: Attorney Discipline, EOIR.

Please note that pursuant to Chapter 10.9 of the Immigration Court Practice Manual and Chapter 11.10 of the Board of Immigration Appeals' Practice Manual, a disciplined practitioner is obligated to advise all clients whose cases are pending before the Immigration Court or the Board that he or she has been disciplined. The Immigration Court Practice Manual further states:

Once a practitioner has been expelled or suspended [by an order issued by the Board or an Adjudicating Official], the practitioner's pending cases are deemed unrepresented. The Immigration Court rejects filings that are submitted by a practitioner after he or she has been expelled or suspended [by an order issued by the Board or an Adjudicating Official].

The Board's Practice Manual has a similar provision. Therefore, a disciplined practitioner has no authority to make any requests, including motions for continuances, in any of his or her former clients' cases, and the Immigration Courts and the Board do not, and should not, deal with a disciplined practitioner concerning his or her former clients' cases.

Also please note that if a practitioner is suspended or expelled, he or she may resume representation of former clients only after the Board issues an order granting reinstatement. Furthermore, they are then required to enter a new Notice of Entry of Appearance form in each case, even if he or she was the attorney at the time that discipline was imposed. Immigration Court Practice Manual Ch. 10.10(d); Board's Practice Manual Ch. 11.10(b), 11.12(c); EOIR Rules of Professional Conduct, 8 C.F.R. § 1003.107(c).

Paul A. Rodrigues  
Acting Disciplinary Counsel  
Office of the General Counsel  
Executive Office for Immigration Review  
Department of Justice  
5107 Leesburg Pike  
Falls Church, Virginia 22041

(b) (6)

[Paul.A.Rodrigues@usdoj.gov](mailto:Paul.A.Rodrigues@usdoj.gov)